

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

December 10, 1997

DIVISION ONE

B090082 People (Not for Publication)
v.
Montero
In re Montero on Habeas Corpus

We affirm the judgment. We issue an order to show cause returnable before the Superior Court instructing it to hold an evidentiary hearing resolving the issues raised in Montero's writ petition.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B107965 Chang (Not for Publication)
v.
California Journal of Los Angeles, Inc. et al.

We affirm the judgment. Defendants are entitled to their costs on appeal.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
Dunn, J. (Assigned)

B105272 Teaman et al. (Certified for Publication)
v.
Wilkinson et al.
Goldhill et al.

The judgment is affirmed.

Masterson, J.

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

DIVISION TWO

B112105 Los Angeles County, D.C.S. (Not for Publication)
 v.
 David T.
 In re Matthew T.

The judgment is affirmed.

Boren, P.J.

We concur: Fukuto, J.
 Ito, J. (Assigned)

DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., Aranda, J. (Assigned), and
Valorie Gray, Deputy Clerk.

Each of the following:

B113167 Rogers Roofing, Inc. v. Steven L. Carter Const., Inc.
B111119 County of L.A. v. Abel C.
B105399 People v. Bacon
B111356 County of L.A. v. Carl P.
B111074 Osborne v. Osborne
B111485 County of L.A. v. Martha N.
B104179/B108529 People v. Prieto
B107024 People v. Bandino
B106154 People v. Stathum

Argument waived, cause submitted.

B104506 Cleveland Electric Co.
 v.
 Truck Insurance Exchange, et al.

Merits:

Argued by Gary L. Angotti for appellant and by Brian J. Gladstone for
respondent. Cause submitted.

DIVISION THREE (Continued)

B088120 Baizer
 v.
 Sussin

Merits:

Argued by Alan Goldberg for appellant and by Bernard H. Cummings for respondent. Cause submitted.

B102106 Sobremonete
 v.
 S.C.L.A.
 (Bank Of America, r.p.i.)

Merits:

Argued by Paul Sowa for petitioner and by Seth Hufstedler for real party in interest. Cause submitted.

B107667 People
 v.
 Robert Brian S.

Merits:

Argued by Katharine E. Greenebaum for appellant and by David A. Eldridge, deputy attorney general for respondent. Cause submitted.

Court recessed at 12:00 Noon.

Court reconvened at 1:30 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., and Valorie Gray, Deputy Clerk.

B114384 Shnaider
 v.
 S.C.L.A.
 (Servin, et al., r.p.i.)

Merits:

Argued by Brian P. Barrow for petitioner and by Marilyn Nelson for real party in interest. Cause submitted.

DIVISION THREE (Continued)

B113661 Department of Motor Vehicles
 v.
 S.C.L.A.
 (Woosley, r.p.i.)

Merits:

Argued by David S. Chaney, deputy attorney general for petitioner and by Patrick G. Woosley and James M. Gansinger for real party in interest and by Robert A. Bush for amicus curiae. Cause submitted.

Court adjourned at 3:10 P.M.

DIVISION FIVE

B107121 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Ethel J.

The order terminating appellant's guardianship of Mia P. is affirmed.

Godoy Perez, J.

We concur: Grignon, Acting P.J.
 Armstrong, J.

B104825 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Ethel J.

The April 22, 1996, order terminating reunification services between appellant and Mia P. is affirmed.

Godoy Perez, J.

We concur: Grignon, Acting P.J.
 Armstrong, J.

December 10, 1997-Continued

DIVISION FIVE (Continued)

B106369 People (Not for Publication)

V.

Soan Tuyet Nguyen

The judgment is affirmed.

Jackson, J. (Assigned)

We concur: Grignon, Acting P.J.

Armstrong, J.

B113510 People (Not for Publication)

V.

Feliciano Guevara

The judgment is affirmed.

Turner, P.J.

We concur: Grignon, J.

Armstrong, J.

B108565 People (Not for Publication)

V.

Vernon Ray Baines

The judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.

Jackson, J. (Assigned)

DIVISION SIX

Court convened at 9:00 A.M.

Present: Stone, P.J., Gilbert, J., Yegan, J., and G. Bents, Deputy Clerk.

Each of the following:

B093130 Mahne v. Crown Roll Leaf

B106925 Bryant v. Bryant

B111322 Public Social Services Agency v. Joy H.

Argument waived, cause submitted.

B113437 Blake
 v.
 City of Port Hueneme

Appearances:

Argument previously waived by appellant. Glen M. Reiser appeared for respondent. Argument waived, cause submitted.

B091431 Anderson
 v.
 Campondonico

Merits:

Argued by Brian G. Gough for appellant and by P. Terence Schubert for respondent. Cause submitted.

B109510 Ott
 v.
 Murphy

Merits:

Argued by Adam R. Fairbairn for appellant and by Stephen D. Hamilton for respondent. Cause submitted.

DIVISION SIX (Continued)

B108034 Iron Oak Supply
 v.
 Santa Lucia National Bank

Merits:
Argued by Eli J. Karpeles for appellant and by Thomas M. Morlan for respondent. Cause submitted.

B107630 Rodney F.
 v.
 Karen M.

Merits:
Argued by Rodney F., appellant appearing in propria persona and by Glenn L. Robertson for respondent. Cause submitted.

B107648 Choik
 v.
 Ku

Merits:
Argued by D. Wayne Leech for appellant and by Bruce A. Dybens for respondent. Cause submitted.

Court recessed at 10:45 A.M.

Court reconvened at 1:30 P.M.

Present: Stone, P.J., Gilbert, J., Coffee, J., and G. Bents, Deputy Clerk.

Each of the following:

B113216 SLO Dept. of Social Services v. Teresa A.
B114121 Susan M. v. Jamie N.
B114254 SLO Dept. of Social Services v. Joseph & Susan D.

Argument waived, cause submitted.

DIVISION SIX (Continued)

B112124 Ventura County
 v.
 Brewer

Appearances:

Anthony R. Strauss for appellant and by Lawrence L. Matheney, Assistant County Counsel, for respondent Ventura Co. Retirement Association and by Marshall W. Graves for respondent Ventura Co. Risk Management. Argument waived, cause submitted.

B108627 Botens
 v.
 Kimberlin

Merits:

Argued by William Hinkle for appellant and by Timothy W. Kenna for respondent. Cause submitted.

B109748 Schiffer
 v.
 Solow

Merits:

Argued by Robert A. Philipson for appellant and by Gary S. Rose for respondent. Cause submitted.

B108441 Montecito Avocado
 v.
 State of California

Merits:

Argued by Susan F. Petrovich for appellant and argument waived by respondent. Cause submitted.

Court recessed at 1:50 P.M.

DIVISION SIX (Continued)

Court reconvened at 2:00 P.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., and G. Bents, Deputy Clerk.

B108237 Budsco
 v.
 Rice

Merits:

Argued by Melvin C. Kerwin for appellant and by Wayne Baldwin for respondent. Cause submitted.

Court adjourned at 2:25 P.M.

DIVISION SEVEN

B104864 People
 v.
 Rodriguez

Filed order denying petition for rehearing. Justice Woods would grant.

B104766 People v. Caldwell (Not for Publication)
B111141 In re Caldwell on Habeas Corpus

The judgment is affirmed. The petition is denied.

Woods, J.

We concur: Lillie, P.J.
 Johnson, J.

December 10, 1997-Continued

DIVISION SEVEN (Continued)

B109900 People (Certified for Publication)

V.
Thompson

The robbery conviction is affirmed. The order dismissing the prior felony conviction allegations is reversed. The sentence is vacated. The matter is remanded to the trial court for further proceedings consistent with this opinion.

Woods, Acting P.J.

I concur: Neal, J.

I concur in the judgment only: Johnson, J.

B104916 People (Not for Publication)

v.
Genova

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

B102223 People (Not for Publication)

V.
Sanchez and Revuelta

The judgments are affirmed.

Simpson, J. (Assigned)

We concur: Lillie, P.J.
Woods, J.